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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13
14 UNITED STATES OF AMERICA,) No. CR 05-00516-JF
15 Plaintiff,)
16 v.)
17 ANTONIO LOZA-LOZANO and)
18 ALFONSO CERVANTES REYES,)
19 Defendants.)
20 _____)

STIPULATION AND ORDER
RESCHEDULING STATUS HEARING
AND EXCLUDING TIME

21 IT IS HEREBY STIPULATED by the undersigned that the status hearing in this case,
22 currently scheduled for Wednesday, December 12, 2007 at 9:00 a.m. be vacated and rescheduled
23 for Wednesday, January 30, 2008 at 9:00 a.m. The parties further stipulate that the court may
24 exclude the period of time from December 12, 2007 through and including January 30, 2008
25 from the computation of the period of time within which the trial must commence for the reasons
26 set forth in the proposed order below.

27 It is so stipulated.

1 Dated: ___11/28/07_____

/s/
JOHN N. GLANG
Assistant U.S. Attorney

2 Dated: ___11/28/07_____

/s/
RICHARD P. POINTER
Attorney for Antonio Loza-Lozano

3 Dated: ___11/28/07_____

/s/
JOHN M. RUNFOLA
Attorney for Alfonso Cervantes Reyes

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5 **ORDER**

6 Based upon the stipulation of the parties, it is hereby ordered that the status hearing in this
7 case, previously scheduled for Wednesday, December 12, 2007 at 9:00 a.m., be vacated and
8 rescheduled for Wednesday, January 30, 2008 at 9:00 a.m.

9

10 Pursuant to Title 18, United States Code, Section 3161(h), the court excludes the period of
11 time from December 12, 2007 through and including January 30, 2008 from the computation of
12 the period of time within which the trial must commence. The court FINDS that the ends of
13 justice served by the delay outweigh the best interest of the public and the defendants in a speedy
14 trial. The court bases this finding on the need of the parties to conduct a settlement conference
15 in this case with United States District Judge Ronald M. Whyte on December 12, 2007, to
16 conduct further negotiations, and as time necessary for effective preparation, within the meaning
17 of 18 U.S.C. Section 3161(h)(8)(B)(iv).

18

19 It is so ordered:

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21 Dated: 11/30/07



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23 JEREMY FOBEL
24 United States District Judge